

# City Commission of Arkansas City Meeting Minutes

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The Arkansas City Board of City Commissioners met in regular session at 5:30 p.m. April 18, 2017, in the Commission Room at City Hall, 118 W. Central Ave., in Arkansas City.

Mayor Duane L. Oestmann called the meeting to order. Those also present at roll call were Commissioner Dan Jurkovich, Commissioner Charles Tweedy III, Commissioner Jay Warren and Commissioner Karen Welch.

City employees present at the meeting were City Manager Nick Hernandez, City Attorney Tamara Niles, Public Information Officer Andrew Lawson, Finance Director Kathy Cornwell, Public Works Director Eric Broce, Assistant Public Works Director Mike Crandall, Public Services Superintendent Randy Jacobs, Principal Planner Josh White, Fire Chief Bobby Wolfe and Police Chief Dan Ward.

Beautification and Tree Advisory Board members in attendance were Richard Humphrey and Candace Stephens.

Citizens in attendance included Allen Fisk, Cowley County Xchange correspondent Gabrielle Lenker, Ark City Daily Bytes reporter Jeni McGee and Cowley CourierTraveler reporter John Shelman.

Commissioner Warren offered the opening prayer. Mayor Oestmann led the pledge of allegiance.

## **Agenda Approval**

Commissioner Warren made a motion to approve the agenda as presented. Commissioner Tweedy seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the agenda approved.

## **Awards and Proclamations**

Mayor Oestmann issued a proclamation that April 28, 2017, is Arbor Day in Arkansas City. Humphrey and Stephens received the proclamation. Public Information Officer Lawson then previewed the Arbor Day event.

The celebration will begin at 5 p.m. in Wilson Park. Charlie's PizzaTaco will serve food from 5 to 8 p.m. The Cowley College Singers, Cody Griesel and Eric Swanson will entertain from 5 to 7 p.m. There will be a tree planting and Wilson Park Master Plan "groundbreaking" around 5:30 p.m. "The Lorax" will be shown at 7 p.m.

## **Consent Agenda**

Commissioner Tweedy made a motion to approve the consent agenda as presented, including the following:

1. Approving the April 4, 2017, regular meeting minutes as written.
2. Approving renewal of City insurance coverage for property, liability, vehicles and equipment.
3. Ratifying Mayor Oestmann's reappointments of Blanche Schmidt and Kayleigh Lawson to the Arkansas City Public Library Board of Trustees.

Commissioner Warren asked for more information about the second item. City Manager Hernandez said the increase was due mainly to increases in the amount of insured property, due to prior undervaluation of the Wastewater Treatment Facility, as well as in the business auto and law enforcement line items.

Commissioner Warren seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the consent agenda approved.

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## New Business

### Neighborhood Revitalization Plan

Public Information Officer Lawson presented for discussion a resolution revising the Neighborhood Revitalization Plan (NRP) in effect until December 31, 2020.

Principal Planner White said the NRP program had been in effect since 2008. It provides tax rebates on any improvements made to the value of existing property. The plan was extended through 2020 in December 2016.

White said the current plan is effective and is being used as intended, but it is hard for staff to track that usage.

He said the new NRP has new districts that better mirror the housing improvement areas identified in the 2014 Cowley County Comprehensive Housing Study. Outside the districts, the NRP has a lower rate and shorter time.

The \$200,000 property cap would be reduced to \$150,000, but now that cap would apply to individual housing units, not entire properties, which would benefit duplexes, apartment complexes and other large developments.

City Attorney Niles said the new plan is more restrictive in some ways, but in others, it is more expansive. The current plan does not make such accommodations for multifamily housing.

Niles said the proposal for commercial development should include a statement that the cap is 75 percent of the first \$200,000 unless otherwise authorized by the City Commission, but this had been inadvertently omitted.

City Manager Hernandez said the proposed NRP would have to be amended to include this, but Commissioner Jurkovich said he prefers no cap. He doesn't want individual commercial projects to come before the commission.

Mayor Oestmann suggested tabling the proposal so the changes discussed could be added to the resolution.

Commissioner Warren made a motion to table the resolution to May 2. Mayor Oestmann seconded the motion.

A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the resolution tabled.

### New 15-Foot Rotary Mower Resolution No. 2017-04-3100

Public Information Officer Lawson presented for discussion a resolution authorizing the purchase of a Kubota M6S-111SHDC2 four-wheel drive tractor from Price Bros. Equipment Co., of Wichita, and a Land Pride RCBM6615 15-foot rotary mower from Schmidt & Sons, Inc., of Winfield, for a total amount not to exceed \$59,230.79.

Assistant Public Works Director Crandall said the current tractor is 16 years old and has 3,376 hours on it. To date, the City has spent nearly \$15,000 in repairs and maintenance to the piece of equipment. The new tractor would be \$43,459 with a \$15,000 trade-in for the old tractor. The purchased was budgeted and cash is available.

Crandall said the current rotary mower also is 16 years old. It has had about \$5,000 in maintenance spent on it.

The new mower, with three additional options, would be \$15,771.79 with a \$4,500 trade-in for the old unit.

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Commissioner Warren asked about the uses for the tractor. Crandall said it would be used mainly to mow the levee, rights-of-way and large parcels of City-owned land. He showed a map of all the properties the City mows.

Commissioner Jurkovich asked if either piece of equipment has problems. Crandall said it's mainly just old age.

Commissioner Jurkovich said the only part of the tractor that appeared worn down is the seat and observed that maybe only the seat needed to be replaced. Public Services Superintendent Jacobs said it is difficult to estimate usable life on such a piece of equipment because it spends so much time mowing on slopes in four-wheel drive.

Commissioner Jurkovich made a motion to approve purchasing only the mower from Schmidt & Sons, with the three available options, for an amount not to exceed \$15,771.79. Commissioner Tweedy seconded the motion.

A voice vote resulted in four aye votes and one nay vote, with Commissioner Welch dissenting. Mayor Oestmann declared the resolution approved and given Resolution No. 2017-04-3100.

## **Carver Park Property Transfer** **Resolution No. 2017-04-3101**

Public Information Officer Lawson presented for discussion a resolution approving an amendment to an agreement to transfer real estate commonly known as a portion of Carver Park to Cowley College.

City Manager Hernandez said the amendment extends the closing date until June 15. Commissioner Tweedy asked why the delay. Hernandez said the platting request has not come to the Planning Commission yet.

Mayor Oestmann made a motion to approve the resolution. Commissioner Tweedy seconded the motion.

A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the resolution approved and given Resolution No. 2017-04-3101.

## **Catalpa Park Adoption** **Resolution No. 2017-04-3102**

Public Information Officer Lawson presented for discussion a resolution approving a recommendation of the Beautification and Tree Advisory Board to initiate an adoption contract for one year with the Catalpa Park Committee for Catalpa Park.

Lawson said the adoption proposal had been in the works for more than a year. It has taken time for the committee members to become organized and determine what they want to commit to, he explained.

The Beautification Board voted unanimously to approve the adoption proposal, which includes raising money (with some 50-50 cost matching for some materials, such as mulch and concrete) to install new playground equipment, establish Americans with Disabilities Act compliance, build a pavilion structure and plant flowers.

A volunteer will continue to mow the park every other week and collect fallen tree limbs. The committee is responsible for maintaining the mowing schedule, but can request assistance from the City if needed.

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Mayor Oestmann asked about the traffic situation. Lawson said it is a pretty lightly trafficked area at this time.

The mayor asked Allen Fisk how many people are on the committee. Fisk said there are five strong members.

Mayor Oestmann said he was comfortable matching costs. City Attorney Niles urged setting a cap on the funds.

Commissioner Warren made a motion to approve the resolution and pledge matching funds of up to \$5,000 during the first year of adoption. Commissioner Jurkovich seconded the motion.

A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the resolution approved and given Resolution No. 2017-04-3102.

## **City Manager Updates**

City Manager Hernandez reminded commissioners about the Wilson Park Master Plan booth at Cowley's Outdoor Market from 8 a.m. to 3 p.m. April 22 and the Outstanding Young Student Award banquet at 6:30 p.m. April 24.

Public Information Officer Lawson said the Cowley County Legislative Forum is at 6 p.m. April 27 in Winfield.

Hernandez previewed the format of this year's budget retreat at 9 a.m. April 29 at Commissioner Warren's cabin.

He said J.R. Stelzer will perform all of the sandblasting and lead abatement for the Wilson Park train at a cost of \$25,800. Work will commence April 19 and conclude by the end of the week, followed by the metal fabrication.

Kalin Taylor, of L.G. Pike Construction, is donating all of his labor and materials to restore missing pieces. Rob Carroll also will assist with the restoration and repainting of the train.

## **Other Business**

Commissioner Welch made a motion to recess to a 30-minute executive session to discuss matters of non-elected personnel and for consultation with City Attorney Niles, to include Niles and City Manager Hernandez.

Commissioner Warren seconded the motion. A voice vote was unanimous in favor of the motion. The executive session began at 6:30 p.m. and ended at 7 p.m.

Afterward, Mayor Oestmann made a motion to recess into an additional 15-minute executive session.

Commissioner Welch seconded the motion. A voice vote was unanimous in favor of the motion. The executive session began at 7 p.m. and ended at 7:15 p.m.

## **Adjournment**

Commissioner Tweedy moved to adjourn the meeting. Commissioner Warren seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the meeting adjourned at 7:16 p.m.

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THE ARKANSAS CITY  
BOARD OF CITY COMMISSIONERS

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Duane L. Oestmann, Mayor

ATTEST:

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Lesley Shook, City Clerk

Prepared by:

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Andrew Lawson, Public Information Officer